

Application No.: 09/784,247  
Amendment

R E M A R K S

Reconsideration of the application in view of the above amendments and following remarks is respectfully requested. In the above amendment claims 1, 37 and 43 have been amended and claim 36 has been canceled without prejudice. No claims have been added. Therefore, claims 1-35 and 37-51 are pending in the application.

Claim Objections

Claim 1 has been objected to because the Examiner asserts that the word "request" in line 7 should be "requesting". Applicant has amended claim 1 to change the word "request" in line 7 to "requesting" to overcome this objection.

The Examiner objected to claim 36 because it is a duplicate of claim 32. Claim 36 has been canceled without prejudice to overcome this objection.

Claim Rejections under 35 U.S.C. § 103

Claims 1-6, 8-11, 14, 16-18, 20-22, 24-27, 30-31 and 33-35 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 4,984,177 to Rondel et al. in view of U.S. Patent No. 5,544,050 to Abe et al. and in further view of U.S. Patent No. 5,606,498 to Maruta et al. Applicant respectfully traverses these rejections.

Applicant's claim 1 recites "outputting instructions in a target language from the communication device in response to a received input command, the instructions requesting a non-verbal response to a phrase". Applicant's independent claim 20 includes similar language. The Examiner asserts that Abe et al.'s column 5, lines 2-4, teach this limitation. Applicant respectfully disagrees.

Regarding the "outputting instructions" limitation,

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Applicant's specification states the following:

"[T]he communication device 20 operates by playing instructions in a foreign language instructing a person who understands the foreign language to use non-verbal responses to respond to questions or phrases that are also played from the device 20 in the foreign language."

(Applicant's specification, page 7, lines 23-28).

"The instructions then go on to ask or instruct the helper to use non-verbal responses to respond to phrases that either will be, or have already been, played in the target language. In other words, the helper is instructed to respond not in his or her own language, but rather with head movements, hand gestures such as pointing, drawings, or any other 'universal' method that does not require the traveler to understand the target language."

(Applicant's specification, page 13, line 34 to page 14, line 8).

Thus, the helper is instructed to use non-verbal responses to respond to questions or phrases that are also played from the device in the target language.

Abe et al. discloses a sign language learning system and method. The system includes means for outputting sign-language data in accordance with the requirements of a learner. Abe et al.'s column 5, lines 2-4, state "an input/output area 721 for designating and switching right-handedness or left-handedness of the person performing the sign-language motion". This feature of Abe et al. simply changes the direction for right-handed people to the direction for left-handed people and vice versa. (See Abe et al., col. 2, lines 47-48).

The feature disclosed in Abe et al.'s column 5, lines 2-4, simply does not output instructions in a target language instructing a person who understands the target language to use non-verbal responses to respond to questions or phrases

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that are also output from the device in the target language. Instead, Abe et al.'s input/output area 721 only designates whether sign-language is performed in right-handedness or left-handedness.

Because Abe et al. does not disclose Applicant's "outputting instructions" step, Applicant submits that the Examiner has not established a proper *prima facie* case of obviousness of Applicant's independent claims 1 and 20 and the rejections must be withdrawn. Furthermore, the rejections of claims 2-19 and 21-35 should also be withdrawn for at least the above reasons due to their dependence on their respective independent claims.

Claims 7, 12, 13, 15, 19, 23, 28, 29 and 32 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 4,984,177 to Rondel et al. in view of U.S. Patent No. 5,544,050 to Abe et al. and in view of U.S. Patent No. 5,606,498 to Maruta et al. and in further view of U.S. Patent No. 6,321,188 to Hayashi et al. Applicant respectfully traverses these rejections.

The rejections of claims 7, 12, 13, 15, 19, 23, 28, 29 and 32 should also be withdrawn for at least the above reasons due to their dependence on their respective independent claims.

Claims 37-51 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,984,177 to Rondel et al. in view of U.S. Patent No. 5,606,498 to Maruta et al. Applicant respectfully traverses these rejections.

Independent claim 37 has been amended to recite storing text "entered by a user" in the user's language corresponding to a custom phrase. Independent claim 43 has been amended in a similar manner. These amendments are supported by Applicant's specification, which states:

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"In step 910 the user types the custom phrase into the device 20 in the user's language. The text of the custom phrase is then stored in the EEPROM 86." (Applicant's specification, page 31, lines 5-8).

Thus, the user enters the text and it is then stored in the EEPROM.

The Examiner asserts that Applicant's claimed "storing text" step in claim 37 is disclosed by Maruta et al.'s col. 7, lines 10-11. Maruta et al.'s col. 7, lines 8-13 state:

"When the up or down cursor key 19<sub>u</sub> or 19<sub>d</sub> is pressed (step S203; Y), the next phrase is read out of the ROM 43 (step S210). The character generator 45 generates patterns of characters of the readout phrases. The character patterns are stored in the display memory, and then displayed (step S211)." (Maruta et al., col. 7, lines 8-13).

This language in Maruta et al. does not disclose that text "entered by a user" in the user's language corresponding to a custom phrase is stored, as is now recited in Applicant's amended claim 37. Instead, the quoted language states that the character generator 45 generates patterns of characters. Furthermore, Applicant submits that the next phrase read out of Maruta et al.'s ROM 43 could not have been "entered by a user" because the ROM 43 is a Read Only Memory that cannot be written to.

Therefore, Applicant submits that the rejections of Applicant's amended independent claims 37 and 43 must be withdrawn. Furthermore, the rejections of claims 38-42 and 44-48 should also be withdrawn for at least the above reasons due to their dependence on their respective independent claims.

Applicant's independent claim 49 recites "storing personal information in a communication device using a user's

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language; and outputting the information from the communication device in a target language". With respect to the recited "personal information", Applicant's specification states:

"A new device 20 is preferably configured with personal information such as name, age, birth date, current date and time, company affiliation, address, nationality, sex, marital status, customs, family, clothing preferences and sizes, entertainment preferences, tourist preferences, professional background, educational background, hobbies, financial information, travel origination and destination, food preferences, etc."

(Applicant's specification, page 32, lines 6-13).

Thus, the personal information is personal information about the user.

The Examiner asserts that Applicant's step of "storing personal information" is disclosed by Rondel et al.'s col. 15, lines 55-60. This language states:

"Rather than cycling through a large number of stored sentences in order to find the correct sentence, the invention utilizes the voice of a user and the ability of the user to form sentences from words or groups to rapidly and quickly determine the nature of the sentence to be translated. This is accomplished by 'personalizing' cartridges to the user's voice so that errors associated with different people speaking different phrases in different ways are avoided. This has the advantage of allowing the translator to be able to pick out the voice of the user and not respond to other voices."

(Rondel et al., col. 15, lines 51-62).

The "personalizing" referred to in the quoted language appears to have nothing to do with storing and then outputting in a target language the type of personal information described above.

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In addition, the Examiner asserts that Applicant's step of "outputting the information from the communication device in a target language" is disclosed by Rondel et al.'s col. 14, lines 65-67. However, that portion of Rondel et al. simply says nothing about outputting the type of personal information described above from a communication device in a target language.

Therefore, Applicant submits that the rejection of Applicant's independent claim 49 must be withdrawn. Furthermore, the rejections of claims 50-51 should also be withdrawn for at least the above reasons due to their dependence on independent claim 49.

Fees Believed to be Due

No extra claims fees are believed to be due.

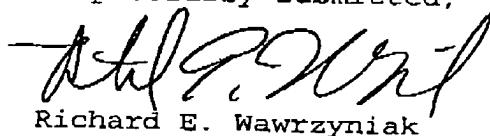
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C O N C L U S I O N

In view of the above, Applicant submits that the pending claims are in condition for allowance. Should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone Richard E. Wawrzyniak at (858) 552-1311 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,

Dated 12/21/04



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